BILL NO. X-94-07-03 (AS AMENDED)

ANNEXATION ORDINANCE NO. X- 07-94

AN ORDINANCE annexing certain territory commonly known as the Thomas Road Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence northerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northeast corner of Tract Number 10 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder); thence westerly along the northerly line of said Tract Number 10 to the northwest corner of said Tract Number 10 and the easterly right of way of LaGro Drive; thence northerly along the easterly right of way of LaGro Drive to its intersection with the northerly line of Tract Number 16 on said W. Carlisle Duell Survey extended easterly; thence westerly along the northerly line of said Tract Number 16 extended easterly and the northerly line of said Tract Number 16 to the northwest corner of said Tract Number 16; thence northerly along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on said Certificate of Survey by W. Carlisle Duell extended northerly and parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro and on the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence westerly along the north line of said LaGro Reserve to a point 496.43 feet normal distance east of the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence northerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 269.4 feet normal distance west of the east line of Lot 5, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) and on the boundary of the Bostwick Annexation Area (Ordinance No. X-03-91 and Document No. 91-046325, Office of the Allen County Recorder); thence

southerly parallel with the east line of Lot 5, Samuel Edsall's Subdivision of LaGro and 269.4 feet normal distance west of said east line and along the boundary of the Bostwick Annexation Area to the northerly right of way of Illinois Road and on the boundary of the LaGro Reserve Annexation Area (Ordinance No. X-01-64); thence westerly along the northerly right of way of Illinois Road, and along a portion of the boundary of the LaGro Reserve Annexation Area and the Times Corner Annexation Area (Ordinance No. X-21-68) to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council

by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1995, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

Rebecca Lavine
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay
J. TIMOTHY McCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Gia Quinta, seconded by ~~by~~ _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the ~~Common Council Conference Room 128, City-County~~ Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 7-12-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG				✓
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 8-9-94.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ ~~(ZONING)~~ ORDINANCE ~~RESOLUTION~~ NO. X-07-94 on the 9th day of August, 19 94

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Thomas C. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1994, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of August, 19 94, at the hour of 1:00 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: City Council Members
FROM: Gary Stair, Planning Director
RE: Poplar Ridge/Thomas Road Amended Ordinances
DATE: August 9, 1994

The Thomas Road Annexation and the Poplar Ridge Annexation Ordinances which were presented to City Council for discussion on August 2, 1994, contained incorrect effective dates. The correct proposed effective date as appears in the Fiscal Plans for these annexations and as was presented before City Council and the Plan Commission is December 31, 1995. The amended ordinances show the correct effective date of December 31, 1995.

X-94-07-03
(as amended)

BILL NO. X-94-07-03 (as amended)

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GiaQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) annexing certain territory commonly known as the Thomas Road Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (RESOLUTION)

DO PASS	DO NOT PASS	ABSTAIN	NO REC

DATED: 8-9-94

Sandra E. Kennedy
City Clerk

BILL NO. X-94-07-03 (AS AMENDED)

ANNEXATION ORDINANCE NO. X- 07-94

AN ORDINANCE annexing certain territory commonly known as the Thomas Road Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

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by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1995, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

Rebecca Lourie
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay
J. TIMOTHY McCAULAY, CITY ATTORNEY

Attest:
The above and foregoing is a true and perfect copy of Bill No. X-94-07-03 (as amended) Consolidation Ordinance No. X-07-94. as the same appears and remains on record in my office.
Witness my hand and seal this 3rd day of November 1994.
Sandra E. Kennedy
CLERK

AUDITOR'S OFFICE
FILED
NOV - 3 1994
Linda K Bloom
AUDITOR OF ALLEN COUNTY

Read the first time in full and on motion by Gia Quinta, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 7-12-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG				✓
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 8-9-94.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING)~~ ORDINANCE ~~RESOLUTION~~, NO. X-07-94 on the 9th day of August, 1994

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas C. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1994, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of August, 1994, at the hour of 1:00 o'clock P M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

94-62857

BILL NO. X-94-07-03 (AS AMENDED)

ANNEXATION ORDINANCE NO. X- 07-94

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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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94 NOV -3 PM 2:53

ALLEN COUNTY RECORDER

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Rebecca Lourie
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay
J. TIMOTHY McCAULAY, CITY ATTORNEY

Attest:
The above and foregoing is a true and perfect copy of Bill No. X-94-07-03 (as amended) - Consolidated Ordinance No. X-07-94. as the same appears and remains on record in my office.
Witness my hand and seal this 3rd day of November, 1994.
Sandra E. Kennedy
CLERK

Read the first time in full and on motion by Gin Quinta, seconded by ~~_____~~, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the ~~Common Council Conference Room 128, City-County~~ Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____ M., E.S.T.

DATED: 7-12-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Havic, ~~seconded by~~ _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG				✓
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 8-9-94.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ ~~(ZONING)~~ ORDINANCE ~~RESOLUTION~~ NO. X-07-94 on the 9th day of August, 19 94

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Thomas C. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1994, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of August, 19 94, at the hour of 1:00 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: City Council Members

FROM: Pamela Holocher, Senior Planner

RE: Thomas Road Annexation

DATE: July 6, 1994

X-94-07-03

The Thomas Road Annexation Area is located west of the City of Fort Wayne along Illinois Road. The proposed annexation area contains approximately 103 acres and is zoned for residential, commercial, and industrial uses. The area contains 22 residential buildings, 2 commercial buildings, 2 industrial buildings, and one church. In addition a new Lowes facility is under construction in this area. The assessed value of this area is $902,470. It is estimated that the area will generate a net revenue of $87,968 during the first five years after its incorporation into the City.

The proposed annexation area is over 60 percent subdivided and is over 30 percent contiguous to the City of Fort Wayne.

This annexation will be presented to the Planning Commission at its July 18 Public Hearing. The proposed effective date for the Thomas Road Annexation is December 31, 1995.

If you have any questions or concerns regarding this annexation, please contact Andrew Dobson or Pamela Holocher at 427-1140.

DIGEST SHEET

TITLE OF ORDINANCE **THOMAS ROAD ANNEXATION**

DEPARTMENT REQUESTING ORDINANCE **PLANNING DEPARTMENT/COMMUNITY & ECONOMIC DEVELOPMENT**

SYNOPSIS OF ORDINANCE APPROVING THE ANNEXATION OF THE THOMAS ROAD AREA INTO THE CITY OF FORT WAYNE.

EFFECT OF **PASSAGE** ANNEXATION WILL TAKE PLACE ON THE RECOMMENDED EFFECTIVE DATE OF 12/31/95.

EFFECT OF **NON-PASSAGE** ANNEXATION WILL NOT TAKE PLACE.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. X-94-07-03

ANNEXATION ORDINANCE NO. X- _____

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Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:

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southerly parallel with the east line of Lot 5, Samuel Edsall's Subdivision of LaGro and 269.4 feet normal distance west of said east line and along the boundary of the Bostwick Annexation Area to the northerly right of way of Illinois Road and on the boundary of the LaGro Reserve Annexation Area (Ordinance No. X-01-64); thence westerly along the northerly right of way of Illinois Road, and along a portion of the boundary of the LaGro Reserve Annexation Area and the Times Corner Annexation Area (Ordinance No. X-21-68) to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of

the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1994. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

J. TIMOTHY McCAULAY, CITY ATTORNEY

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

August 12, 1994

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of August 17 and August 24, 1994, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-94-07-03 (as amended)
Annexation Ordinance No. X-07-94
Thomas Road Annexation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 9th day of August, 19 94, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-07-03 (as amended) Annexation Ordinance No. X-07-94 to-wit:

BILL NO. X-94-07-03 (AS AMENDED)

ANNEXATION ORDINANCE NO. X- 07-94

AN ORDINANCE annexing certain territory commonly known as the Thomas Road Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence northerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northeast corner of Tract Number 10 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder); thence westerly along the northerly line of said Tract Number 10 to the northwest corner of said Tract Number 10 and the easterly right of way of LaGro Drive; thence northerly along the easterly right of way of LaGro Drive to its intersection with the northerly line of Tract Number 16 on said W. Carlisle Duell Survey extended easterly; thence westerly along the northerly line of said Tract Number 16 extended easterly and the northerly line of said Tract Number 16 to the northwest corner of said Tract Number 16; thence northerly along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on said Certificate of Survey by W. Carlisle Duell extended northerly and parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro and on the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence westerly along the north line of said LaGro Reserve to a point 496.43 feet normal distance east of the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence northerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 269.4 feet normal distance west of the east line of Lot 5, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County

southerly parallel with the east line of Lot 5, Samuel Edsall's Subdivision of LaGro and 269.4 feet normal distance west of said east line and along the boundary of the Bostwick Annexation Area to the northerly right of way of Illinois Road and on the boundary of the LaGro Reserve Annexation Area (Ordinance No. X-01-64); thence westerly along the northerly right of way of Illinois Road, and along a portion of the boundary of the LaGro Reserve Annexation Area and the Times Corner Annexation Area (Ordinance No. X-21-68) to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council

by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1995, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

Rebecca Ravine

COUNCILMEMBER

Rebecca J. Ravine

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bradbury, Edmonds, Henry, Lunsey,
Ravine, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
GiaQuinta, Long,

DATED: 8-9-94

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance X-07-94 on the 9th day of August, 1994.

ATTEST

Sandra E. Kennedy
City Clerk

SEAL

Thomas C. Henry
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1994, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of August, 1994, at the hour of 9:00 o'clock P.M.,E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-94, passed by the Common Council on the 9th day of August, 19 94, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of August, 19 94, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of August, 19 94.

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Form Prescribed by State Board of Accounts

General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total

LEGAL NOTICE
Notice is hereby given that on the 9th day of August, 1994, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-07-03 (as amended) Annexation Ordinance No. X-07-94 to-wit:
BILL NO. X-94-07-03 (AS AMENDED)
ANNEXATION ORDINANCE NO. X-07-94
AN ORDINANCE annexing certain territory commonly known as the Thomas Road Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:
Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:
Beginning at the intersection of the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence northerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northeast corner of Tract Number 10 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder); thence westerly along the northerly line of said Tract Number 10 to the northwest corner of said Tract Number 10 and the easterly right of way of LaGro Drive; thence northerly along the easterly right of way of LaGro Drive to its intersection with the northerly line of Tract Number 16 on said W. Carlisle Duell Survey extended easterly; thence westerly along the northerly line of said Tract Number 16 extended easterly and the northerly line of said Tract Number 16 to the northwest corner of said Tract Number 16; thence northerly along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on said Certificate of Survey by W. Carlisle Duell extended northerly and parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro and on the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence westerly along the north line of said LaGro Reserve to a point 496.43 feet normal distance east of the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence northerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 269.4 feet normal distance west of the east line of Lot 5, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) and on the boundary of the Bostwick Annexation Area (Ordinance No. X-03-91 and Document No. 91-046325, Office of the Allen County Recorder); thence southerly parallel with the east line of Lot 5, Samuel Edsall's Subdivision of LaGro and 269.4 feet normal distance west of said east line and along the boundary of the Bostwick Annexation Area to the northerly right of way of Illinois Road and on the boundary of the LaGro Reserve Annexation Area (Ordinance No. X-01-64); thence westerly along the northerly right of way of Illinois Road, and along a portion of the boundary of the LaGro Reserve Annexation Area and the Times Corner Annexation Area (Ordinance No. X-21-68) to the point of beginning.
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.
SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).
SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1995, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.
Rebecca J. Ravine
COUNCILMEMBER
Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Seven
Bradbury, Edmonds, Henry, Lunsey, Ravine, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
GiaQuinta, Long,
DATED: 8-9-94

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance X-07-94 on the 9th day of August, 1994.
ATTEST

Sandra E. Kennedy
City Clerk

Thomas C. Henry
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1994, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of August, 1994, at the hour of 9:00 o'clock P.M.,E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a true and complete copy of Annexation C No. X-07-94 passed by the Common Coun 9th day of August, 1994, and that said C was duly signed and approved by the May 10th day of August, 1994, and now remai and on record in my office.
WITNESS my hand, and the official seal of of Fort Wayne, Indiana, this 11th day of 1994

SANDRA E. KENNEDY, CIT

8--17-24

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columns wide equals 178 equivalent lines $ 88.11

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r allowing all just credits, and that no part of the

Julie L Rohyans

, 19 94 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time , the dates of publication being as follows:

8/17,24/1994

Julie L Rohyans

Subscribed and sworn to before me this 24th day of AUG, 19 94.

Mary L Adkison
Notary Public

My commission expires: MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14,1997

Form Prescribed by State Board of Accounts

General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

178 lines, 1 columns wide equals 178 equivalent lines at .495 cents per line $ 88.11

Additional charge for notices containing rule or tabular work (50 percent of above amount) _____

Charge for extra proofs of publication ($1.00 for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM $ 89.11

DATA FOR COMPUTING COST

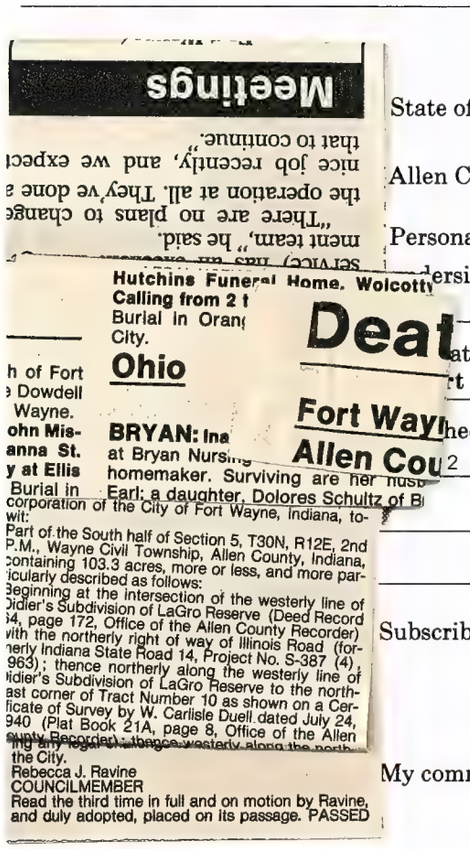
Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Rohyans

Date: AUG 24, 19 94 Title: Clerk



PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/ Clerk of the The Journal-Gazette newspaper of general publication printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time _____, the dates of publication being as follows:

8/17,24/1994

Julie L Rohyans

Subscribed and sworn to before me this 24th day of AUG, 19 94.

Mary L Adkison
Notary Public

My commission expires: MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14,1997

Meetings

"There are no plans to change the operation at all. They've done a nice job recently, and we expect that to continue."

Hutchins Funeral Home, Wolcott
Calling from 2 t
Burial in Oran
City.

Ohio

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Fort Wayn
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BRYAN: Ina
at Bryan Nursing
homemaker. Surviving are her husb
Earl; a daughter, Dolores Schultz of B

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Dowdell
Wayne.
ohn Mis-
anna St.
y at Ellis
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corporation of the City of Fort Wayne, Indiana, to-
wit:
Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:
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the City.
Rebecca J. Ravine
COUNCILMEMBER
Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED

Form Prescribed by State Board of Accounts

General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

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Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

178 lines, 1 columns wide equals 178 equivalent lines

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Julie L Robyns

Clerk

FIDAVIT

notary public in and for said county and state, the
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who, being duly sworn, says that he/
The News-Sentinel newspaper of general
d in the English language in the (city) (town) of
nd county aforesaid, and that the printed matter
attached hereto is a true copy, which was duly published in said paper for
2 time , the dates of publication being as follows:

8/17,24/1994

Julie L Robyns

Subscribed and sworn to before me this 17th day of AUG, 19 94.

Mary L Adkison
Notary Public

MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14,1997

My commission expires:

LEGAL NOTICE

Notice is hereby given that on the 9th day of August, 1994, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-07-03 (as amended) Annexation Ordinance No. X-07-94 to-wit:

BILL NO. X-94-07-03 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-07-94

AN ORDINANCE annexing certain territory commonly known as the Thomas Road Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence northerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northeast corner of Tract Number 10 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder); thence westerly along the northerly line of said Tract Number 10 to the northwest corner of said Tract Number 10 and the easterly right of way of LaGro Drive; thence northerly along the easterly right of way of LaGro Drive to its intersection with the northerly line of Tract Number 16 on said W. Carlisle Duell Survey extended easterly; thence westerly along the northerly line of said Tract Number 16 extended easterly and the northerly line of said Tract Number 16 to the northwest corner of said Tract Number 16; thence northerly along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on said Certificate of Survey by W. Carlisle Duell extended northerly and parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro and on the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence westerly along the north line of said LaGro Reserve to a point 496.43 feet normal distance east of the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence northerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 269.4 feet normal distance west of the east line of Lot 5, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) and on the boundary of the Bostwick Annexation Area (Ordinance No. X-03-91 and Document No. 91-046325, Office of the Allen County Recorder); thence southerly parallel with the east line of Lot 5, Samuel Edsall's Subdivision of LaGro and 269.4 feet normal distance west of said east line and along the boundary of the Bostwick Annexation Area to the northerly right of way of Illinois Road and on the boundary of the LaGro Reserve Annexation Area (Ordinance No. X-01-64); thence westerly along the northerly right of way of Illinois Road, and along a portion of the boundary of the LaGro Reserve Annexation Area and the Times Corner Annexation Area (Ordinance No. X-21-68) to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1995, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

Rebecca J. Ravine
COUNCILMEMBER

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bradbury, Edmonds, Henry, Lunsey, Ravine, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
GiaQuinta, Long,
DATED: 8-9-94

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance X-07-94 on the 9th day of August, 1994.

ATTEST

Sandra E. Kennedy
City Clerk

Thomas C. Henry
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1994, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of August, 1994, at the hour of 9:00 o'clock P.M.,E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-94 passed by the Common Council on the 9th day of August, 1994, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of August, 1994, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of August, 1994

SANDRA E. KENNEDY, CITY CLERK

8-17-24

#671631

Form Prescribed by State Board of Accounts — General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

178 lines, 1 columns wide equals 178 equivalent lines at .495 cents per line $ 88.11

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication ($1.00 for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM $ 89.11

DATA FOR COMPUTING COST

Width of single column 12.5/2 ems
Number of insertions
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Rohyans

Date: AUG 24, 19 94 Title: Clerk

LORD CALVERT 1.75 LTRS...
JIM BEAM 1.75 LTRS. .....
MAKER'S MARK 750 ML.....
CAPTAIN MORGAN SPICEI
RON RICO RUM 1.75 LTRS....
DEKUYPER SCHNAPPS 1.7
CUERVO TEQUILA 750 ML..
ABSOLUT VODKA 1.75 LTR...
MCCORMICK VODKA 1.75 L
MOET WHITE STAR CHAM
KENDAL JACKSON WINES

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time , the dates of publication being as follows:

8/17,24/1994

Julie L Rohyans

Subscribed and sworn to before me this 24th day of AUG, 19 94.

Mary L Adkison
Notary Public

MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14,1997

My commission expires:

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Natka Eshcoff, City Clerk's Office
FROM: Andrew Dobson, Planning Department
RE: Poplar Ridge & Thomas Road Annexations
DATE: October 24, 1994

Per I.C. 36-4-3-22, please note that the annexations above (X-06-94 and X-07-94) were approved by the Common Council of Fort Wayne on August 9, 1994. These annexations were duly published on August 17, 1994 and August 24, 1994.

Please note that these annexations do not become effective until December 31, 1995.

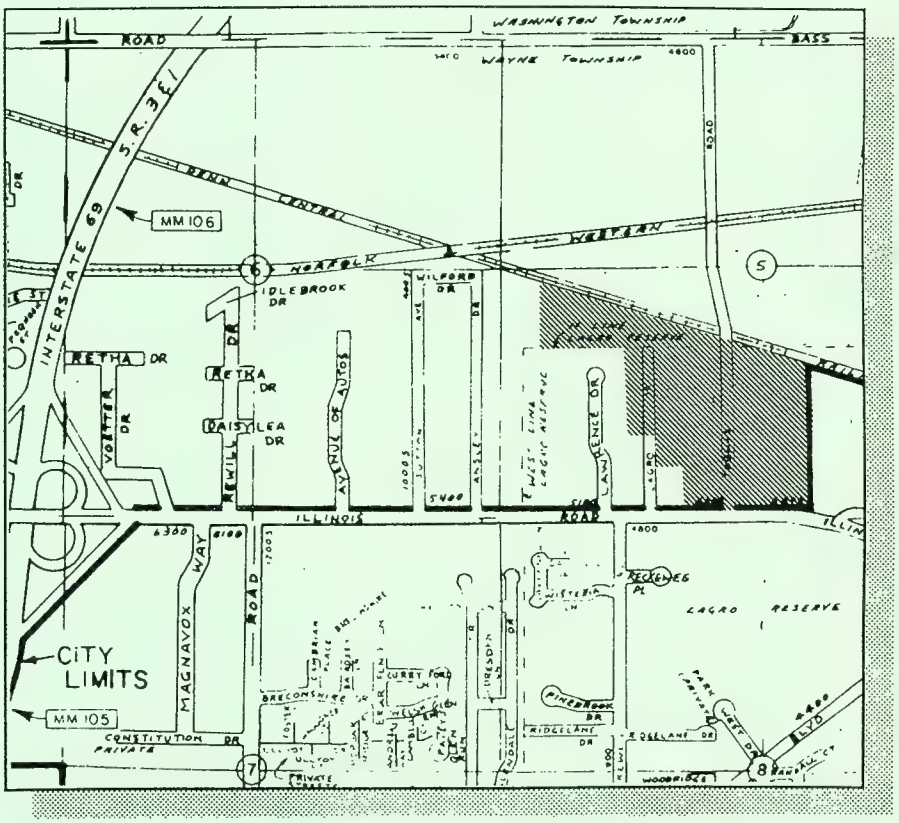
If you have any questions concerning these annexations, please contact Gary Stair at 427-1140.

FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

July 1994

Thomas Road Annexation



COMMUNITY & ECONOMIC
C&ED
DEVELOPMENT

ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Gregg LaMar
Director
Division of Community and Economic Development

Gary Stair
Director of Planning

Fort Wayne City Plan Commission
Mel Smith, President
Ernest Evans, Vice President
Carol Kettler Sharp, Secretary
James Hoch
Charles Layton
David Ross
Mark E. GiaQuinta
Vicky VerPlanck
Thomas Quirk

Research and Preparation
Pamela Holocher, Senior Planner
Andrew Dobson, Planner I

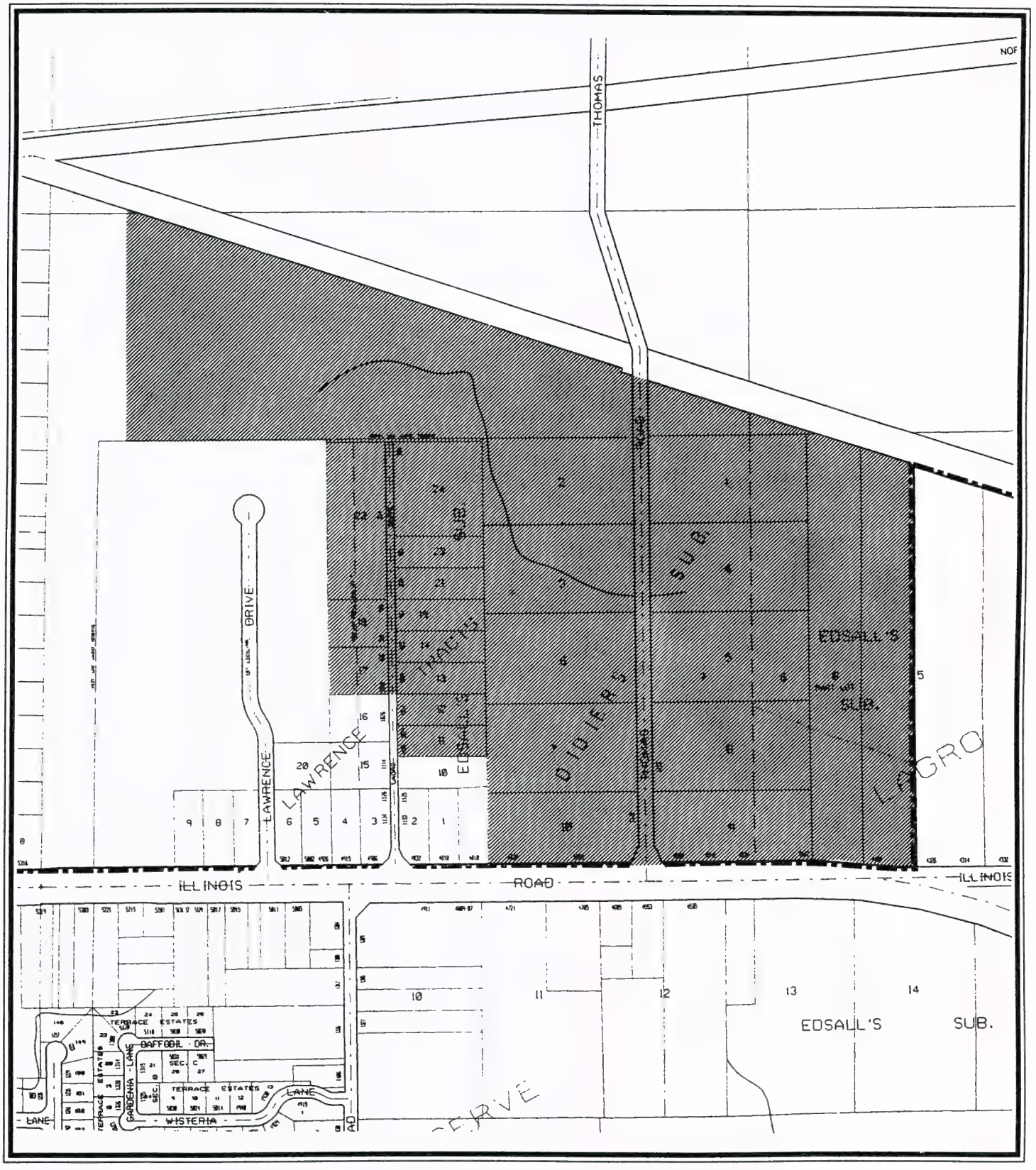
INTRODUCTION

Over the past 20 years, the City of Fort Wayne has been pursuing a vigorous policy for annexing land adjacent to its corporate limits. This proposal is a logical continuation of this policy.

This fiscal plan explains how the Thomas Road Annexation Area conforms to the state law requirements regarding municipal annexation. The plan also provides basic data about the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the City.

The proposed annexation area is approximately 103 acres and contains a mixture of residential, industrial, and commercial land uses and open space. A map of the Thomas Road Annexation Area is presented on the following page, Figure 1.

THOMAS ROAD ANNEXATION



ANNEXATION AREA

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SECTION ONE

Basic Data

A. Location

The area proposed for annexation is located west of the City of Fort Wayne along Illinois Road. The annexation area is generally bounded on the north by the Pennsylvania Central Railroad Company right of way, on the east by present City limits, on the south by Illinois Road, and on the west by the eastern boundary of the Acura-Chevy Annexation Area.

B. Size

The Thomas Road Annexation Area contains approximately 103 acres.

C. Population

Block statistics from the 1990 U.S. Census of Population and Housing show that 54 persons reside in the annexation area.

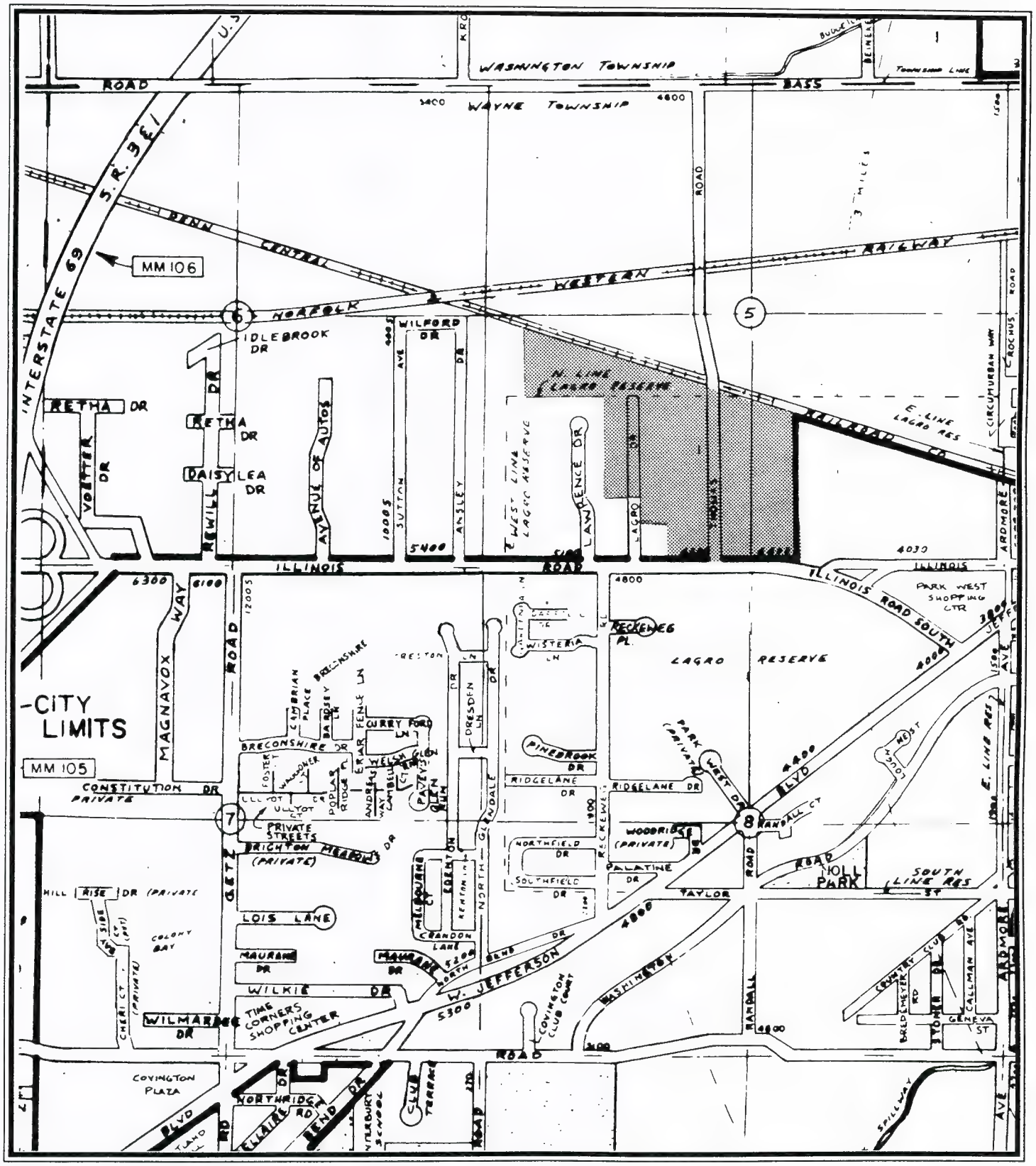
D. Buildings

Residential structures	22 structures in moderate to poor condition
Commercial structures	2 structures in good condition
Institutional structures (church)	1 structure in good condition
Industrial structures	2 structures in good condition

E. Patterns of Land Use (Approximations)

	Acres	Percent
Open space	51.0	49.1
Residential	30.6	29.9
Industrial	13.0	12.6
Institutional	6.4	6.4
Commercial	2.0	1.9
Total	**103**	**100%**

THOMAS ROAD ANNEXATION



LOCATION

F. Zoning

The Thomas Road Annexation Area contains four zoning classifications. Upon annexation, this area will be under jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

County Zoning Classification	City Zoning Classification
RS-1: Suburban Residential	R1: Suburban Residential
I-3(P): Planned Heavy Industrial	M3: Heavy Industrial
C-1A(P): Planned Professional & Personal Services	B1A: Limited Business District
C-3(P): Planned General Commercial	B3B: General Business District B
C-1(P): Planned Limited Commercial	B1B: Limited Business

G. Topography

The Thomas Road Annexation Area contains Blount silt loam, Haskins loam, Pewamo silty clay loam, and Morley silt loam soils. According to United States Geological Survey topographical maps, the highest point in the area is 810 feet, and the lowest point is 790 feet.

H. Assessment

$902,470

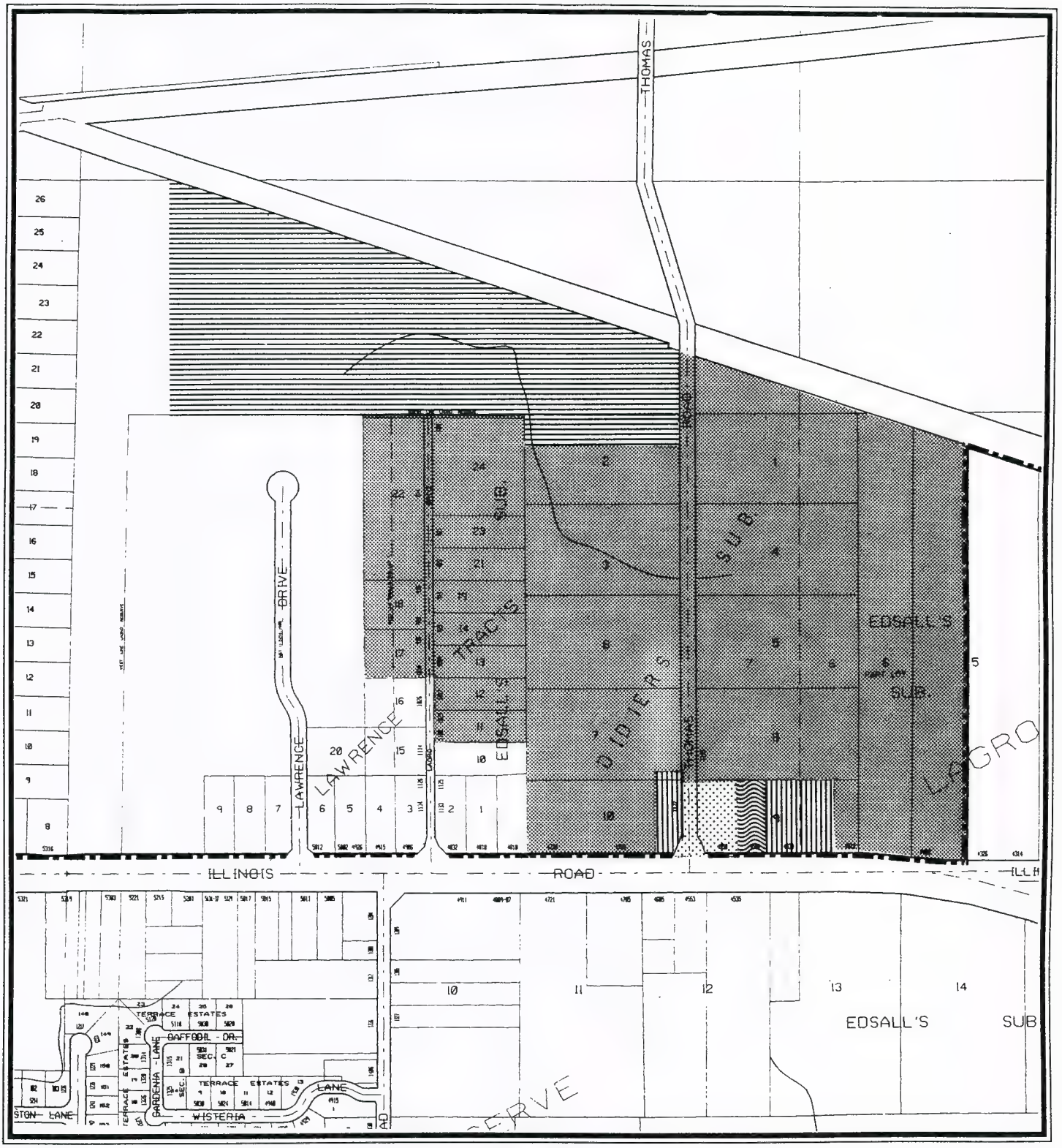
I. Net Tax Rates

There are two possible taxing districts that the Thomas Road Annexation Area may be incorporated into. Their respective tax rates and increase over the present rate are shown below.

Existing (30 Wayne Transit)	$6.946346
After annexation (96 Ft. Wayne Fire District)	$8.894482
Increase	$1.948136 (28%)

Existing (30 Wayne Transit)	$6.946346
After annexation (91-95 Ft. Wayne/Wayne)	$9.318439
Increase	$2.372093 (34%)

THOMAS ROAD ANNEXATION



ZONING

I-3(P)	Planned Heavy Industrial	C-1A (P)	Planned Professional & Personal Service
RS-1	Suburban Residential	C-1(P)	Planned Limited Commercial
		C-3 (P)	Planned General Commercial

J. Council District

The Thomas Road Annexation Area will be initially assigned to City Council District 4, subject to any later statutorily-required reapportionment.

K. Selected Area Within Corporate Boundaries with Similar Topography, Patterns of Land Use and Population Density

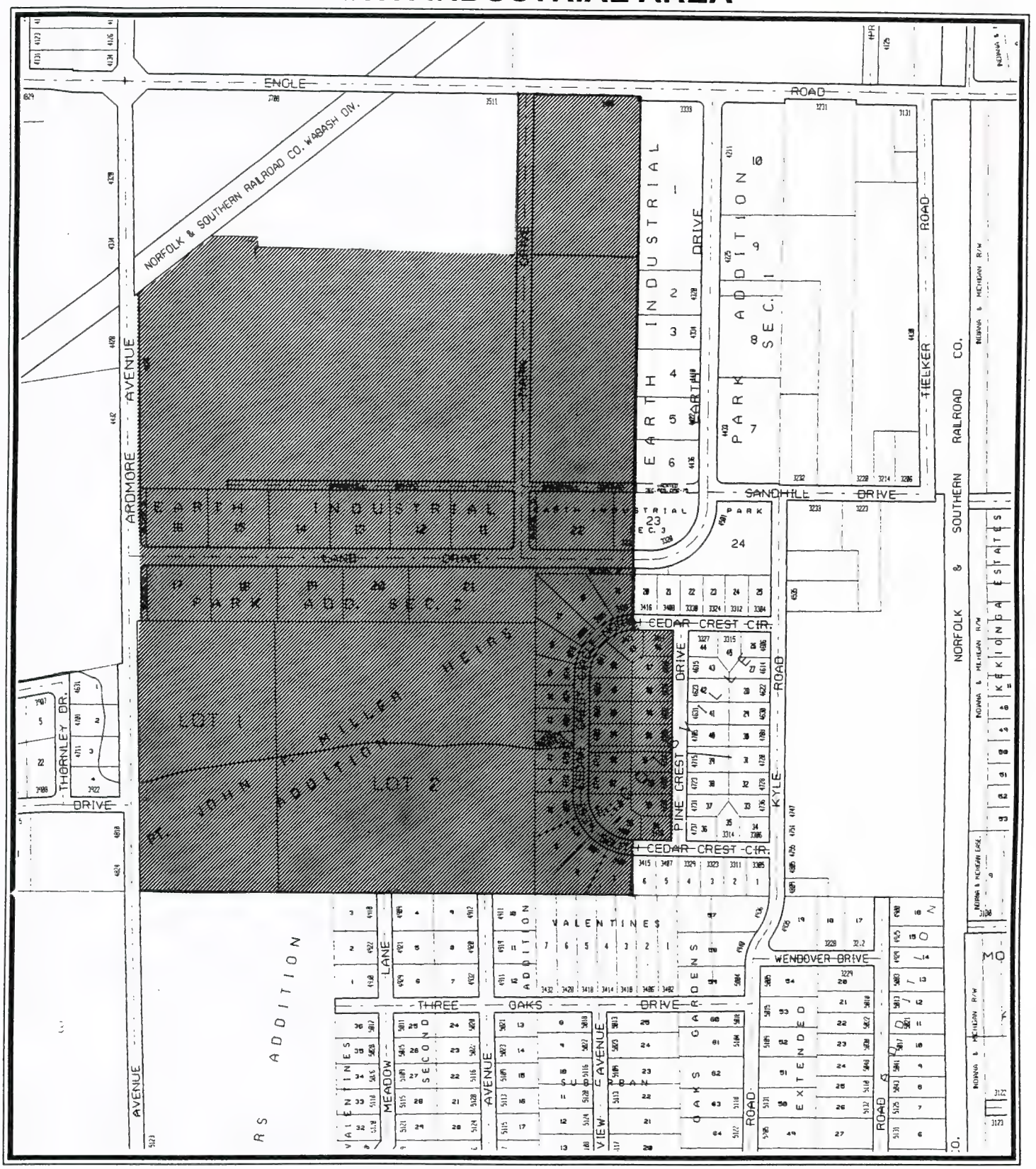
As the City of Fort Wayne has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use and population density to the Thomas Road Annexation Area is the Earth Industrial Park area. Table 1 compares the two areas, and Figure 4 on page 6 shows the location of the Earth Industrial Park area.

Table 1

	Thomas Road Area	**Earth Industrial Area**
Topography	gently sloping	gently sloping
Land use patterns	Residential, Industrial, Commercial, Open space, & Institutional	Residential, Industrial, Commercial, & Open Space
Population Density	.53 persons/acre	1.15 persons/acre

No area within the City with similar topography, patterns of land use and population density as the Thomas Road Annexation Area is receiving services higher in standard or scope than those services proposed for the Thomas Road Annexation Area.

EARTH INDUSTRIAL AREA



COMPARABLE AREA

SECTION TWO

The Comprehensive Annexation Program

The annexation of the Thomas Road Area is part of a larger, comprehensive annexation program that was developed in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. *The Annexation Policy and Program Study* was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth." Because the Thomas Road area met this criteria in 1975-1976, the report identified it as part of a larger area (WAY-1) which was recommended for annexation.

SECTION THREE

State Law Requirements

A. Introduction

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with State Law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. An annexing city must meet the guidelines of at least one of the options. The two options are:

1. The area must be at least one-eighth contiguous (12.5 percent) to the municipality and it must meet at least one of the following three conditions:

   (a) have a population density of at least three persons per acre;
   (b) be zoned for commercial business, or industrial uses;
   (c) be at least sixty percent subdivided.

2. The boundaries of the annexation area must be at least one-fourth contiguous (25 percent) to the municipality and the area must be needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a written fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, together with the methods of financing such services. The Thomas Road Annexation Area meets the first option which has been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how the Thomas Road Annexation Area meets this requirement.

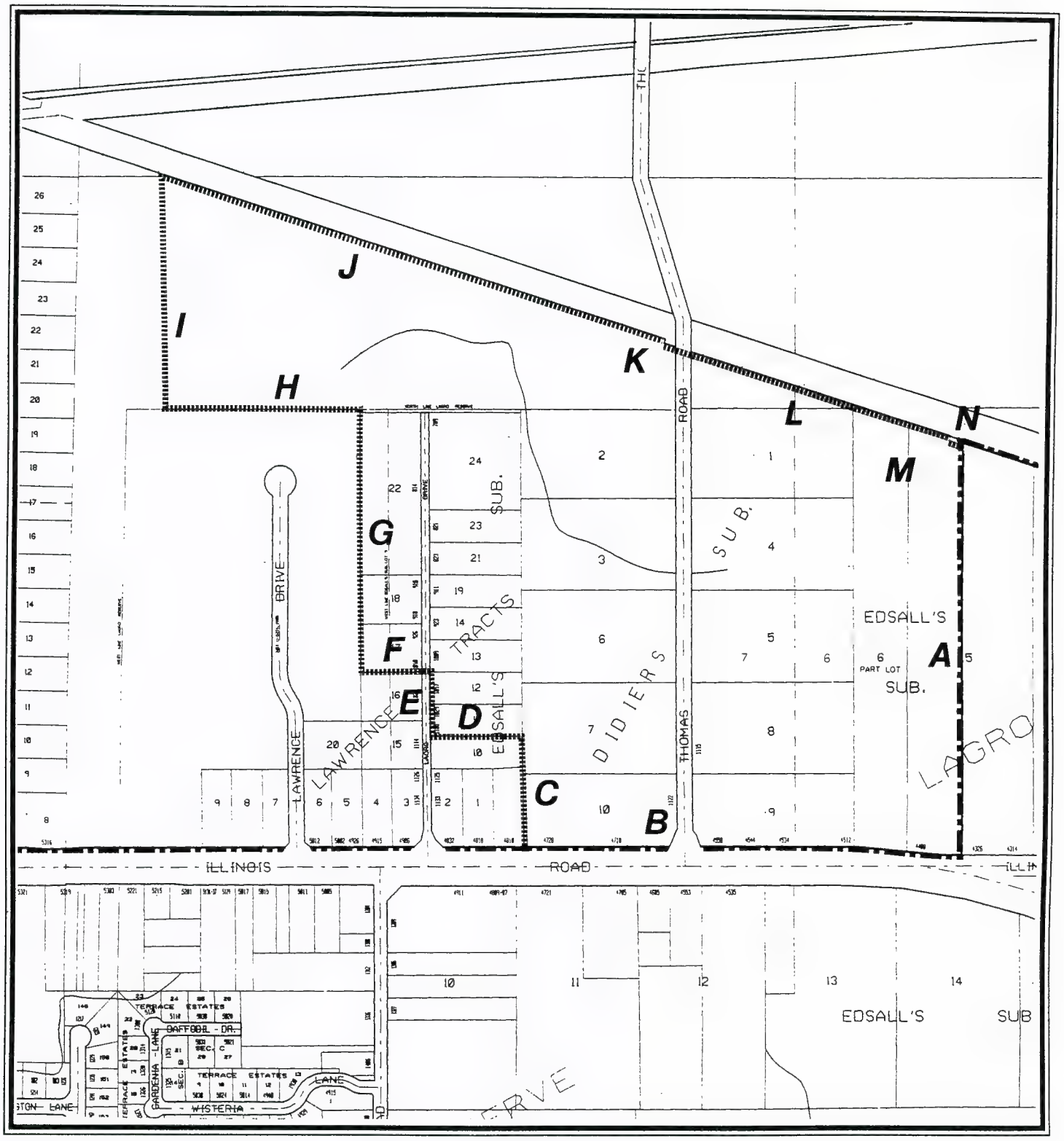
B. One-Eighth Contiguous

The Thomas Road Annexation Area meets the following conditions for annexation. First, as can be seen on the map on the following page, it is more than one-eighth or 12.5 percent contiguous to the City of Fort Wayne. Second, the area is over 60 percent subdivided. Therefore, the annexation meets the guidelines for the first annexation requirement

C. Conclusion

The Thomas Road Annexation Area should be annexed into Fort Wayne because it meets the annexation tests which have been established by the State Legislature. The area is more than one-eighth contiguous to the City of Fort Wayne and the area is over 60 percent subdivided.

THOMAS ROAD ANNEXATION



CONTIGUITY

CONTIGUOUS

A.	1580'
B.	1680'
	3260' (30.42%)

NON-CONTIGUOUS

C.	430'	G.	1000'	K.	25'
D.	350'	H.	730'	L.	1200'
E.	245'	I.	880'	M.	20'
F.	270'	J.	2000'	N.	30'

TOTAL 7170' (69.58%)

SECTION FOUR

Municipal Services

This section of the Fiscal Plan projects the costs and methods of financing municipal services for the Thomas Road Annexation Area. How and when the City plans to extend non-capital services and capital improvements is also outlined in the following pages. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in the provision of services and financing of these services in an equitable manner.

The municipal services described in this section are analyzed according to the needs of the Thomas Road Annexation area, the costs of providing services, and funding sources. It should be noted that the costs of providing municipal services have been rounded off to the nearest dollar and are calculated at today's dollar value. In addition, costs to provide municipal services to the Thomas Road Annexation Area will be inflated in the Financial Summary Section which follows this section.

As required by State Law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the Thomas Road Annexation Area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density, including but not limited to the Earth Industrial Park Area.

A. Police

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, and resolution of day-to-day conflicts among family, friends, neighbors, and the community. The Police Department is involved in legal work, such as participation in court proceedings and the protection of Constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

Statistics, including the number of calls for service and the average response times, were obtained from the Communications Department Computer Aided Dispatch System (CAD) to project service needs and costs in the proposed Thomas Road Annexation Area.

From these statistics it has been estimated that there will be 46 calls for service in the proposed annexation area annually. The proposed annexation area will be incorporated into Police District #5. However, this area will be subject to redistricting in accordance with the Police Department's *Target 2000* plan. With this number of calls for service, it has been determined that it will not be necessary to hire additional personnel to provide police service to the proposed annexation area.

The cost to provide police protection to this area is based on an officer's average hourly salary of $19.91 multiplied by an estimated service time of 45 minutes spent per call for 46 calls. This yields an annual cost to provide service of $687. An additional 5 percent or $34 for administrative functions is added to the above figure. This results in a total cost to the City of $721 to provide police service to the proposed annexation area. Funding for police service in the area will be derived primarily from local property taxes through the General Fund.

Capital Cost:	$0
Estimated Annual Cost:	$721.00

B. Fire Protection

It is not clear at this time as to whom will ultimately provide fire service to the proposed annexation area. The reason for the confusion is that this area "appears" to lie within the jurisdiction served by the Southwest Allen County Fire District. If it is determined that the area is not within the Southwest Allen County Fire District, then the City is obligated to provide fire service.

If the Fort Wayne Fire Department is responsible for providing fire protection services to the Thomas Road Annexation Area, services will be provided immediately upon annexation. These services will include full fire suppression activities, fire prevention, EMS support response on life hazards, emergency hazardous materials response, public education and fire investigations.

Primary response to emergencies would come from Station #2 located at Taylor Street. There is one Class A pumper and one ladder truck located at Station #2. Primary response time would be between five and seven minutes. Secondary response would come from Station #7 located at 1622 Lindenwood Avenue. There is one Class A pumper located at this station. Secondary response time would be between five and seven minutes.

The Thomas Road Annexation Area is located adjacent to other city-covered areas. At the time this plan was prepared, it was estimated that there would be eight fire emergency responses into the annexation area. This estimation is based on fire emergency responses in Fire Zone #199 located immediately south of the proposed annexation area.

The average 1992 operating cost per service run is $1,040. Therefore, the total cost for fire services would be $8,320 annually. There will be no need for additional equipment or personnel resulting from this annexation.

Capital Cost: $0
Estimated Annual Cost: $8,320.00

C. Emergency Medical Service (EMS)

At the present time, Three Rivers Ambulance Authority is the only provider of ambulance service to City residents. Three Rivers Ambulance Authority is currently providing emergency medical services (life-threatening and non-life-threatening), and medical transporting of all persons within the community. Emergency responses are in conjunction with the local volunteer ambulance service with no required response times at present.

Using service run records over the past several years, as many as six EMS ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station #2 located at 2023 Taylor Street. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, fire fighters are able to administer medical treatment to residents before the ambulance arrives.

The method of financing Emergency Medical Service is based on user fees. The current charges for ambulance service are show below:

1. $120 plus $5 per loaded mile for non-emergency transfer scheduled 24 hours in advance.
2. $170 plus $5 per loaded mile for non-scheduled non-emergency transfers.
3. $380 plus $7.50 per loaded mile for all emergencies for city and non-city residents plus a $30 fee for emergency response.

This method of financing permits service to be extended to the annexation area with its existing budget, while no additional manpower or equipment will be needed to service the annexation area.

Capital Cost: $0
Estimated Annual Cost: $0

D. Solid Waste Disposal

The Solid Waste Department currently oversees garbage and non-freon appliance collection, yard waste collection, and voluntary curbside recycling within the City of Fort Wayne. The service is provided through a contract with Waste Management Inc. Beginning on January 1, 1995, these solid waste disposal services will be paid for through a $6.50 per month user fee per single family household and subsidized with property taxes. The amount of property tax residents of

the Thomas Road Annexation Area will pay to subsidize solid waste collection is negligible.

In addition, the Solid Waste Department oversees the composting program at 5510 Lake Avenue, and contracts with Appliance Recycling Centers of America Inc. (ARCA) to pick up illegally dumped freon appliances. Residents of the annexation area will be able to take up to 1/2 ton of yard waste to the composting site at no charge. Residents will also be able to contact ARCA for collection and recycling of their freon appliances for $35.00 per appliance.

These services will be available to the residents of the annexation area immediately upon annexation. It will not be necessary for the City to hire additional personnel or purchase additional equipment to provide these services.

Capital Cost: $0
Estimated Annual Cost: $0

E. Traffic Control

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately after the effective date of annexation. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stop lights and control signs.

The Traffic Engineering Department will not require any additional employees to serve the Thomas Road Annexation Area. Furthermore, no capital improvements will be required as a result of this annexation.

Capital Cost: $0
Estimated Annual Cost: $0

F. Streets and Roads

The incorporation of the Thomas Road Annexation Area will add .23 mile of residential and .37 mile of collector roads to the City street system. The residential road is classified in poor condition, and the collector road is classified in fair condition.

The City of Fort Wayne Street Department is responsible for the general maintenance of the City's streets and roads. General maintenance includes leaf pick-up, street and berm maintenance, snow removal, street sweeping, right-of-way mowing, minor ditch maintenance, and guard rail repair. These services will be available to the annexation area immediately upon the effective date of annexation.

The Street Department has determined that the annexation of the Thomas Road Area, in addition to other annexations along Illinois Road, will necessitate the purchase of a one-ton truck with a snow plow. The total cost is $30,000. Other annexation areas along Illinois Road will utilize the services provided by this truck, and therefore will share the financing of its purchase. The Thomas Road area will be responsible for approximately 19 percent ($5,709) of the total cost

of the truck. This cost will be incurred as a capital expense the first year following the effective date of annexation.

The average cost of street maintenance is $5,912 per centerline mile of road. Annexation of the Thomas Road area will bring .6 mile of road into the City. Therefore, the estimated annual cost for street maintenance is $3,571.

Capital Cost:	$5,709
Estimated Annual Cost:	$3,571.00

G. Parks and Recreation

Residents of the proposed annexation area will have access to City park facilities including Lindenwood Environmental Study Area, East and West Swinney Parks, and Rockhill Park. These facilities offer picnic grounds, hiking trails, basketball courts, baseball diamonds, playgrounds, fishing areas, swimming pools, and a bicycle motor-cross track. Some of these services are offered on a fee-for-service basis, with non-city residents paying a higher fee. Upon annexation, the residents of the Thomas Road area will pay the lower resident fee.

No additional personnel or equipment will be required as a result of this annexation.

Capital Cost:	$0
Estimated Annual Cost:	$0

H. Water

The Fort Wayne Water Utility is presently serving portions of this proposed annexation area. Extension of water services to properties not presently being served will be considered once the property owners in the area petition for such service. The City will provide engineering and contract execution for any additional water main projects in this area.

Capital Costs:	$0
Estimated Annual Costs:	$0

I. Fire Hydrants

There are presently no fire hydrants located within the Thomas Road Annexation Area. Therefore, the City will not incur any cost for hydrant maintenance.

Capital Cost:	$0
Estimated Annual Cost:	$0

J. Sanitary Sewer

The Fort Wayne Department of Water Pollution Control provides sanitary sewers to portions of the Thomas Road Annexation Area. The Fort Wayne Department of Water Pollution Control will consider additional sanitary sewer installation upon petition by property owners. The City

will provide engineering services as needed for additional sanitary sewers. Upon annexation, residents will be able to take advantage of the Barrett Bonding process which allows residents to make long-term, low-interest payments for their sewers.

Capital Cost:	$0
Estimated Annual Cost:	$0

K. Storm Sewers

Upon annexation, the Fort Wayne Department of Water Pollution Control (WPC) will consider storm sewer installation upon petition by property owners. The City will provide engineering services for such a project. Certain storm drainage improvements may be funded from the City's Storm Water Utility. Emergency and routine maintenance of public drainage systems which are up to City standards will be the responsibility of the City's Sewer Maintenance Department after annexation. The source of revenue City Utilities utilizes for providing these services will be the Storm Water Utility's drainage fees.

Capital Costs:	$0
Estimated Annual Costs:	$0

L. Street Lighting

It is the goal of the City to light every intersection in Fort Wayne in order to reduce night accidents, aid in police protection, facilitate the traffic flow, and inspire community spirit and growth. The Street Light Engineering Department has determined that there are no street lights within the Thomas Road Annexation Area. Therefore, upon annexation there will be no capital costs or maintenance costs for existing street lighting. However, if residents of the Thomas Road area petition to have any street lights installed within public right-of-ways, capital and maintenance costs would be paid by the City.

Any operating costs will be paid by the City through the regular departmental budget. Any additional mid-block lighting, ornamental lighting or underground wiring must be petitioned by the residents involved per State Statute. The residents would be assessed for the cost of such installation.

Capital Costs:	$0
Estimated Annual Costs:	$0

M. Animal Control

The Fort Wayne Department of Animal Control will provide various services to the Thomas Road Annexation Area immediately upon the effective date of annexation. The services this department will provide include, but are not limited to, the sheltering of stray animals, response to animal complaints and emergencies, 24-hour service (seven days a week including holidays), canvassing for unconfined strays, trap rental, pet adoption, and a humane education program.

The annexation area is located within the North District of the Animal Control Department. No

additional staff will be needed to serve this area. The total cost to provide services to the Thomas Road area will be approximately $279.00 annually. This cost is based on the projected number of animal complaint runs made to the area and the projected number of stray animals that will need to be sheltered from the area. It is estimated that 7 animal complaint runs will be made into the area annually, at a cost of $8.58 per call, or a total cost of $60.06. It is anticipated that 3 stray animals from the area will need to be held for a minimum of three days at a cost of $19 per day per animal or a total annual cost of $171.00.

There is one additional cost for a commercial permit approval for the animal hospital located within the annexation area. Administrative and follow up costs for this permit process are estimated to be $48.00.

Capital Cost:	$0
Estimated Annual Cost:	$279.00

N. Administrative Services

All administrative functions of the City of Fort Wayne will be available to the Thomas Road Annexation Area residents immediately upon the effective date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Commission, the City Clerk's Office, and the Citizen's Advocate Office. General administration includes all of the regulatory and program functions for the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size and population of an area. Consequently, this plan does not include cost estimates. However, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund and State and Federal Government.

Capital Cost:	$0
Estimated Annual Cost:	$0

SECTION FIVE

Plan for Hiring Governmental Employees Displaced by Annexation

It is not anticipated that, due to the annexation of the Thomas Road area, any governmental employees will be eliminated from other governmental agencies. However, if any government employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

Financial Summary and Recommendation

The purpose of this section is to project the revenues and expenditures of the proposed Thomas Road Annexation Area. This section will also provide a five-year summary for the years 1996 to 2000 of the expenditures compared with the revenues.

A. Revenues

Property taxes are the main source of revenue to be received from the Thomas Road Annexation Area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Wayne Township Assessor. The formula for computing tax revenue is shown in Table 3.

Table 3: Tax Revenue Formula

$$\frac{V\text{-}E}{100}(T) = TR$$

Where:

V = Assessed Valuation
E = Home Mortgage Exemption ($1,000)
T = City Tax Rate
TR = Tax Return

The total assessed valuation of the Thomas Road Annexation Area is $902,470. In the formula above, the home mortgage exemption is deducted from this total valuation. There are 22 residential structures within the proposed annexation area. Assuming that each one is eligible for a home mortgage exemption of $1,000, the total taxable assessed valuation becomes $880,470.

For the purpose of this fiscal plan two financial projections will be presented. The Fort Wayne-Fire District tax rate will be used to calculate the first revenue projection. This projection presumes that the Southwest Allen County Fire District will provide fire protection service to the annexation area and that the District will receive tax revenue to provide this service. The second revenue projection will utilize the Fort Wayne/Wayne tax rate which includes a rate for Fort Wayne fire protection. This scenario presumes that the City will provide fire protection to the annexation area and receive its entitled tax dollars for this service. Both the Fort Wayne/Wayne and the Fort Wayne Fire District tax rates are shown in Figures 4 and 5 on the following pages.

Therefore, property tax revenue for 1994, employing the first methodology, can be determined by applying the Ft. Wayne Fire District tax rate to the total taxable assessed value ($880,470) giving a total property tax revenue of $21,178. Using a 4.0 percent annual rate of inflation, the property tax revenue for 1997, the first year taxes would be due to the City after annexation, would be $23,822. A portion of the revenue would be supplied from the State Property Tax Relief Fund.

Employing the second methodology, property tax revenue for 1994 can be determined by applying the Ft. Wayne/Wayne tax rate to the total taxable assessed value giving a total property tax revenue of $29,022. Using a 4.0 percent annual rate of inflation, the property tax revenue for 1997, the first year taxes would be due to the City after annexation, would be $32,646. A portion of the revenue would be supplied from the State Property Tax Relief Fund.

The Thomas Road Annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets Fund (LARS). These funds are allocated based on street miles. In 1993, the city received approximately $8,116 per centerline street mile in combined MVH and LARS funds. This annexation will add 0.60 mile to the City's street system. Therefore, the City will receive an additional $4,902 from MVH and LARS funds. The City will receive these funds annually beginning one year after the effective date of annexation.

The following tables show the area's City taxing district rates.

Table 4
Taxing District Rate (Ft. Wayne Fire Dist.)

Corporation General	1.5893
Corporation Debt Service	0.3402
Police Pension	0.0970
Sanitary Officer Pension	0.0175
Park	0.3468
Redevelopment General	0.0145
Total	**2.4053**

Table 5
Taxing District Rate (Ft. Wayne/Wayne)

Corporation General	1.5893
Corporation Debt Service	0.3402
Fire Pension	0.1026
Police Pension	0.0970
Sanitary Officer Pension	0.0175
Fire	0.7883
Park	0.3468
Redevelopment General	0.0145
Total	**3.2962**

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax, County Option Income Tax, County Economic Development Tax, and the Alcoholic beverage Tax. Some of these funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Thomas Road Annexation Area cannot be calculated. However, most of these funds will increase with City population increases.

B. Expenditures

Expenditures which were reported in the Municipal Services section are summarized in Table 6. Capital costs are one time expenditures while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, all capital improvement projects must follow routine City procedures which often require petitioning.

Table 6 on the following page details the costs that will be incurred by each department upon the annexation of the Thomas Road area. These costs do not reflect the inflation factor used to calculate the five-year revenue summaries shown in Tables 7 and 8.

Table 6: Expenditures

Department	Capital Cost	Annual Cost
Police	$0	$721
Fire (if Fort Wayne provides fire protection)	0	8,320
EMS	0	0
Solid Waste Disposal	0	0
Traffic Control	0	0
Streets & Roads	5,709	3,571
Parks & Recreation	0	0
Water	0	0
Fire Hydrants	0	0
Sanitary Sewers	0	0
Storm Sewers	0	0
Street Lighting	0	0
Animal Control	0	279
Administrative Services	0	0
Total	**$5,709**	**$12,891**

C. Five-Year Summaries

The two Five-Year Summaries show the projected expenditures compared with tax revenues expected in the Thomas Road Annexation Area for the first five years after it is incorporated into the City of Fort Wayne. The first summary presumes that fire protection will be provided by the Southwest Allen County Fire district, and that the district will receive the tax revenues for provision of this service. The second summary presumes that the City of Fort Wayne will provide fire protection and will receive the tax revenue for the provision of this service.

The summaries include for each of the five years a 5 percent inflation factor for capital expenditures, a 4 percent inflation factor for operating costs, and a 4 percent increase factor for City revenues. These inflation factors are provided by the City of Fort Wayne Controller's Office and have been derived through calculating the average expenditures and revenues over the past several years.

Property tax revenue from the annexation area will not be collected until 1997. Assuming the area is annexed in December of 1995, assessment will not occur until March of 1996 with revenues being collected in 1997. Since revenues are not collected for one year after the

effective date of annexation, the City will experience a loss of, depending on which fiscal scenario is used, $11,238 or $20,237 in 1996. Tables 7 and 8 below detail the revenues compared with the expenses for the Thomas Road Annexation over the next five year period.

Table 7: Revenue Minus Expenses-SWAC Fire Protection

Year	Expenditures	Property Tax Revenue	MVH & LARS	Balance
1996	11,238	0	0	(11,238)
1997	5,141	23,822	4,902	23,583
1998	5,347	24,775	4,902	24,330
1999	5,561	25,766	4,902	25,107
2000	5,783	26,797	4,902	25,916
Total	**33,069**	**101,159**	**19,608**	**87,698**

Table 8: Revenue Minus Expenses-City Fire Protection

Year	Expenditures	Property Tax Revenue	MVH & LARS	Balance
1996	20,237	0	0	(20,237)
1997	14,500	32,646	4,902	23,048
1998	15,080	33,952	4,902	23,774
1999	15,683	35,310	4,902	24,529
2000	16,311	36,722	4,902	25,314
Total	**81,811**	**138,630**	**19,608**	**76,427**

D. Recommendation

This Fiscal Plan, which meets the State Law requirements that a fiscal plan be prepared, shows that the Thomas Road Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1995.

APPENDIX

Thomas Road Annexation Area Legal Description

Part of the South half of Section 5, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 103.3 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence northerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northeast corner of Tract Number 10 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder); thence westerly along the northerly line of said Tract Number 10 to the northwest corner of said Tract Number 10 and the easterly right of way of LaGro Drive; thence northerly along the easterly right of way of LaGro Drive to its intersection with the northerly line of Tract Number 16 on said W. Carlisle Duell Survey extended easterly; thence westerly along the northerly line of said Tract Number 16 extended easterly and the northerly line of said Tract Number 16 to the northwest corner of said Tract Number 16; thence northerly along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on said Certificate of Survey by W. Carlisle Duell extended northerly and parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro and on the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence westerly along the north line of said LaGro Reserve to a point 496.43 feet normal distance east of the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence northerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 269.4 feet normal distance west of the east line of Lot 5, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) and on the boundary of the Bostwick Annexation Area (Ordinance No. X-03-91 and Document No. 91-046325, Office of the Allen County Recorder); thence southerly parallel with the east line of Lot 5, Samuel Edsall's Subdivision of LaGro and 269.4 feet normal distance west of said east line and along the boundary of the Bostwick Annexation Area to the northerly right of way of Illinois Road and on the boundary of the LaGro Reserve Annexation Area (Ordinance No. X-01-64); thence westerly along the northerly right of way of Illinois Road, and along a portion of the boundary of the LaGro Reserve Annexation Area and the Times Corner Annexation Area (Ordinance No. X-21-68) to the point of beginning.